

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

PENNY R. NEWMAN,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

CIV. NO. 3:16-CV-23
(SHIRLEY)

ORDER OF REMAND UNDER SENTENCE FOUR
OF 42 U.S.C. § 405(g)

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of Defendant's motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g) reversing the Commissioner's decision with a remand of the cause to the Commissioner according to the following terms. See Shalala v. Schaefer, 509 U.S. 292, 296, 113 S. Ct. 2625, 2629 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 97-98, 111 S. Ct. 2157, 2163 (1991).

On remand, Defendant will further evaluate whether Plaintiff's previous work met the criteria of "past relevant work" as defined in 20 C.F.R. §§ 404.1560(b) and 416.960(b); and, if necessary, whether Plaintiff could adjust to other work pursuant to 20 C.F.R. §§ 404.1520(g), 404.1560(c), 416.920(g) and 416.960(c).

The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge